

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

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THE CITY OF HUNTINGTON,

Plaintiff,

vs.

CIVIL ACTION

NO. 3:17-01362

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,
Defendants.

CABELL COUNTY COMMISSION,
Plaintiff,

vs.

CIVIL ACTION

NO. 3:17-01665

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

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Videotaped and Zoom video conference
deposition of JAMES RAFALSKI taken by the Defendants
under the Federal Rules of Civil Procedure in the
above-entitled action, pursuant to notice, before
Jennifer Vail-Kirkbride, a Registered Merit
Reporter, on the 11th day of September, 2020.

APPEARANCES:

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6 ALSO PRESENT:

7 Gregory Diefenbaugh, Legal Video Specialist
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8 Renee Cook, Esquire (via Zoom)

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1 or two -- it's kind of a compound question. First,
2 the algorithm's applied to the data and that's what
3 triggers the order. That's what brings it to my
4 report or triggers it and identifies it. Then
5 subsequent to that would -- you're asking about the
6 evaluation of that specific order.

7 Q. No, I am asking actually what's intended to
8 be a really simple question so maybe I can reframe
9 it.

10 You've got tens of millions of orders
11 you identify here; right?

12 A. I do.

13 Q. Did you look at any of those tens of
14 millions of orders in terms of the actual facts of
15 those orders to make a judgment that as to any one
16 of those tens of millions of orders, looking at the
17 order itself you believe that order is likely to be
18 diverted?

19 A. There -- I cannot definitively look at one
20 specific order and tell you that specific order was
21 diverted, if that's your question. I did not do
22 that and I couldn't -- I did not do that and I could
23 not do that.

24 Q. That's not my question. What I'm asking is